

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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PDV USA, INC,

Plaintiff

- against -

INTERAMERICAN CONSULTING INC,

Defendant.
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20-CV-3699 (JGK) (RWL)

ORDER

ROBERT W. LEHRBURGER, United States Magistrate Judge.

PDV's letter dated July 10, 2025 indicated that Interamerican takes the position that certain exhibits to PDV's motion for sanctions should remain under seal. (Dkt. 271.) On August 6, 2025, PDV filed a follow-up letter indicating that the government takes no position with respect to maintaining those exhibits under seal. (Dkt. 280.) Interamerican, however, never filed a motion or any other filing explaining why any of the designated materials should remain under seal as required by this Court's Individual Rules For Redactions And Filing Under Seal.

The Court has reviewed the materials and finds that (1) the documents are judicial documents insofar as they underlie PDV's motion for sanctions; (2) the weight of the presumption of access to the documents is relatively strong; although the sanctions motion pertains to discovery violations, the sanctions sought include default judgment, preclusion, and/or adverse inferences that are substantive in nature and therefore potentially dispositive; and (3) competing considerations do not outweigh the presumption in favor of access to the documents; for example, in comparison to earlier requests to seal, the government has not indicated that there would be any impairment to law

enforcement at this juncture (as evidenced by its taking no position on the sealing request), and nothing in the documents evinces privacy interests outweighing the presumption of access. Accordingly, the documents filed as Exhibits 5, 8, 9, 30, 32-34, and 36-38 shall not remain under seal.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. Lehrburger', with a long horizontal stroke extending to the right.

ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Dated: August 27, 2025
New York, New York

Copies transmitted this date to all counsel of record.